

**LEGISLATIVE SERVICES AGENCY  
OFFICE OF FISCAL AND MANAGEMENT ANALYSIS**

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**FISCAL IMPACT STATEMENT**

**LS 6464**

**BILL NUMBER:** HB 1405

**NOTE PREPARED:** Dec 8, 2006

**BILL AMENDED:**

**SUBJECT:** Defense to Resisting Law Enforcement.

**FIRST AUTHOR:** Rep. Stutzman

**FIRST SPONSOR:**

**BILL STATUS:** As Introduced

**FUNDS AFFECTED:**      **GENERAL  
DEDICATED  
FEDERAL**

**IMPACT:** No Fiscal Impact

**Summary of Legislation:** The bill creates a defense to resisting law enforcement for a motorist who refuses to stop after being ordered to do so because the motorist was unable to determine whether the law enforcement officer was actually a law enforcement officer. It provides that the defense applies only if: (1) the motorist was unable to determine whether the officer was actually a law enforcement officer because visibility was reduced or because the officer was in an unmarked vehicle; (2) the motorist's refusal to stop lasted only long enough to determine whether the officer was actually a law enforcement officer or to drive to a populated location; and (3) after being ordered to stop, the motorist did not speed or operate the motor vehicle in a manner that endangered or could have endangered any person.

**Effective Date:** July 1, 2007.

**Explanation of State Expenditures:**

**Explanation of State Revenues:**

**Explanation of Local Expenditures:**

**Explanation of Local Revenues:**

**State Agencies Affected:**

**Local Agencies Affected:**

**Information Sources:**

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